

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:11-CV-361-DSC**

**TRIAD RACING TECHNOLOGIES, )  
LLC, )  
 )  
Plaintiff, )  
v. )  
 )  
VISION AIRLINES, INC., and )  
VAR, LLC, )  
 )  
Defendants. )  
\_\_\_\_\_ )**

**ORDER**

**THIS MATTER** is before the Court on Defendant “Vision Airlines, Inc.’s Motion to Dismiss” (document #15) filed September 23, 2011, as well as the parties’ associated briefs and exhibits (documents ##16 and 18).

The parties have consented to Magistrate Judge jurisdiction under 28 U.S.C. § 636 (c). On December 6, 2011, this matter was re-assigned to the undersigned Magistrate Judge. This Motion is now ripe for determination.

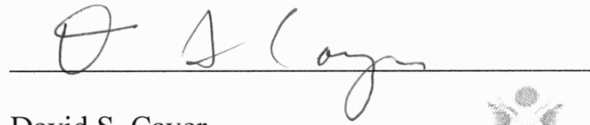
Having carefully reviewed the pleadings, record, arguments of counsel, and applicable authority, the Court determines that for the reasons stated in “Plaintiff’s Memorandum in Opposition ...” (document #18), Defendant’s Motion shall be denied.

**NOW, THEREFORE, IT IS HEREBY ORDERED:**

1. Defendant “Vision Airlines Inc.’s Motion to Dismiss” is **DENIED**.
2. The Clerk is directed to send copies of this Order to counsel for the parties..

**SO ORDERED.**

Signed: December 8, 2011

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

